

SIGNIFICANT ACCOMPLISHMENTS HIGHLIGHTS
Fiscal Year 2004 (October 1, 2003 through September 30, 2004)

During Fiscal Year 2004, United States Trustees initiated more than 52,400 informal inquiries and formal civil enforcement and related actions during the year. In total, these actions resulted in an overall potential benefit to creditors in excess of **\$521 million**, including unsecured debts not discharged in chapter 7, fines imposed, petition preparer fees recovered, and attorney fees disgorged. (The informal inquiries and formal civil enforcement actions include 35,358 actions pursuant to §§ 707(b), 727, 110 and 329 of the Bankruptcy Code, and also actions in such matters as chapter 11 cases and objections to fee requests.)

Substantial Abuse

- ! During Fiscal Year 2004, United States Trustees filed 4,753 motions to dismiss for substantial abuse under § 707(b).
- ! Of the 3,211 motions to dismiss resolved by judicial decision or by debtor consent during Fiscal Year 2004, United States Trustees were successful in 3,058 or 95.2% of the motions.
- ! During Fiscal Year 2004, United States Trustees initiated approximately 28,181 informal inquiries and formal court actions pursuant to § 707(b). United States Trustee activity under § 707 (b) and prevented 8,336 debtors from the immediate discharge in chapter 7 of over **\$275 million** of general unsecured debt.¹

Discharge of Debtor

- ! During Fiscal Year 2004, United States Trustees filed 1,056 complaints objecting to the entry or seeking revocation of the debtor's discharge under § 727.
- ! Of the 915 complaints objecting to discharge that were resolved by judicial decision or by debtor consent during Fiscal Year 2004, the discharge was denied, waived or revoked in 865 or 94.5% of the cases.
- ! During Fiscal Year 2004, United States Trustees initiated approximately 3,465 informal inquiries and formal court actions pursuant to § 727. United States Trustee activity under § 727 prevented approximately 1,387 debtors from discharging over **\$192.5 million** of general unsecured debt as a result of formal complaints or investigations that resulted in voluntary waivers of discharge, dismissals, or conversions to chapter 13.²

¹ The amount of debt not discharged in chapter 7 as a result of actions taken by the United States Trustee pursuant to 707(b) is the actual amount of unsecured debt listed on Schedule F.

² The amount of debt not discharged in chapter 7 as a result of actions taken by the United States Trustee is the actual amount of unsecured debt listed on Schedule F.

Petition Preparers

- ! During Fiscal Year 2004, United States Trustees filed 894 motions and/or complaints seeking relief against petition preparers under § 110.
- ! Of the 797 matters resolved by judicial decision or consent during Fiscal Year 2004, United States Trustees were successful in 748 actions against petition preparers or 93.9% of the matters resolved.
- ! During Fiscal Year 2004, United States Trustees pursued petition preparers through informal inquiries and formal court actions in approximately 2,254 cases. United States Trustee activity under § 110 resulted in the imposition of fines and the recovery of fees in excess of **\$2.9 million** and the issuance of **249 injunctions**.

Debtor's Attorneys

- ! During Fiscal Year 2004, United States Trustees filed 707 motions seeking disgorgement of attorney fees under § 329.
- ! Of the 629 motions resolved by judicial decision or consent during Fiscal Year 2004, the United States Trustees were successful in 567 motions against debtors' attorneys or 90.1% of the motions resolved.
- ! During Fiscal Year 2004, United States Trustees initiated 1,458 informal inquiries and formal court actions against debtors' attorneys that resulted in the disgorgement of attorney fees totaling approximately **\$4.32 million**.

Other Sanctions and Compensation Reductions

- ! During Fiscal Year 2004, United States Trustees reported monetary sanctions against attorneys in excess of **\$309,000** and reductions of fee requests (in all chapters) in excess of **\$46 million**.